

AO 120 (Rev. 2/99)

TO: Mail Stop 8 Director of the U.S. Patent & Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been
 filed in the U.S. District Court Northern District California on the ☒ Patents or ☐ Trademarks:

DOCKET NO. CV 12-05036 JCS	DATE FILED 9/27/12	U.S. DISTRICT COURT 450 Golden Gate Avenue, 16 th Floor, San Francisco CA 94102
PLAINTIFF INTERNET PATENTS		DEFENDANT THE GENERAL AUTOMOBILE INS, ET AL
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 7,707,505		***see attach complaint***
2		
3		
4		
5		

In the above—entitled case, the following patent(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK Richard W. Wieking	(BY) DEPUTY CLERK Gina Agustine-Rivas	DATE
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Copy 1—Upon initiation of action, mail this copy to Commissioner Copy 3—Upon termination of action, mail this copy to Commissioner
 Copy 2—Upon filing document adding patent(s), mail this copy to Commissioner Copy 4—Case file copy

1977-1978

ECF DOCUMENT

I hereby attest and certify this is a printed copy of a document which was electronically filed with the United States District Court for the Northern District of California.

Date Filed: 9/27/12

RICHARD W. WIEKING, Clerk

By: GINA AGUSTINE, Deputy Clerk

Attorneys for Plaintiff Internet Patents Corporation

JCS

C 12 5036
Case No.

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

JURY DEMANDED

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT - 1

1 Plaintiff Internet Patents Corporation, f/k/a Insweb Corporation ("Plaintiff" or "IPC"),
2 files this Complaint for Patent Infringement and damages against Defendants The General
3 Automobile Insurance Services, Inc., d/b/a The General ("The General"), Permanent General
4 Assurance Corporation ("Permanent General"), and Permanent General Assurance Corporation
5 of Ohio ("Permanent General of Ohio") (collectively "Defendants") and would respectfully show
6 the Court as follows:

7 **PARTIES**

8 1. Plaintiff Internet Patents Corporation, f/k/a Insweb Corporation, is a Delaware
9 corporation having its principal place of business at 10850 Gold Center Dr., Suite 250B, Rancho
10 Cordova, California 95670.

11 2. On information and belief, Defendant The General Automobile Insurance
12 Services, Inc. is a California corporation having its principal place of business at 2636 Elm Hill
13 Pike, Suite 510, Nashville, Tennessee, 37214. Upon information and belief, The General has
14 appointed its agent for service as follows: David L. Hettinger, 2636 Elm Hill Pike, Suite 510,
15 Nashville, Tennessee 37214.

16 3. On information and belief, Permanent General Assurance Corporation is a Ohio
17 corporation having its principal place of business at 9700 Rockside Rd., Suite 250, Valley View,
18 Ohio, 44125 with 2636 Elm Hill Pike, Suite 510, Nashville, Tennessee 37214 listed as the
19 mailing address. Upon information and belief, Permanent General has appointed its agent for
20 service as follows: The Commissioner of Insurance, 500 James Robertson Pkwy., Tennessee
21 Department of Commerce and Insurance, Nashville, Tennessee 37243.

22 4. On information and belief, Permanent General Assurance Corporation of Ohio is
23 a Ohio corporation having its principal place of business at 9700 Rockside Rd., Suite 250, Valley
24 View, Ohio, 44125 with 2636 Elm Hill Pike, Suite 510, Nashville, Tennessee 37214 listed as the

1 mailing address. Upon information and belief, Permanent General has appointed its agent for
2 service as follows: The Commissioner of Insurance, 500 James Robertson Pkwy., Tennessee
3 Department of Commerce and Insurance, Nashville, Tennessee 37243.

4 5 **JURISDICTION AND VENUE**

6 5. This action arises under the patent laws of the United States, Title 35 of the
7 United States Code. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331
8 and 1338(a).

9 6. Venue is proper in this district under 28 U.S.C. §§ 1391(c) and 1400(b). On
10 information and belief, each Defendant has affiliated agents located in this district, has transacted
11 business in this district, and/or has committed, contributed to, and/or induced acts of patent
12 infringement in this district.

13 14 **BACKGROUND**

15 7. In 1999, Plaintiff IPC began operating an online insurance marketplace that
16 enabled consumers to shop online for a variety of insurance products, including automobile, term
17 life, homeowners, renters and individual health insurance, and obtain insurance company-
18 sponsored quotes for actual coverage. During this time period, IPC developed several e-
19 commerce technologies.

20 8. More specifically, IPC created the Dynamic Tabs technology. The Dynamic Tabs
21 technology provides website users with an online application consisting of a series of
22 dynamically generated web pages (i.e., a form set). The online application is organized and
23 presented to provide re-entrant editing, error trapping, flagging correction, and easy navigation

1 from page to page without data loss using the website tabs and conventional browser
2 functionality.

3 9. On April 27, 2010, the United States Patent and Trademark Office ("PTO") duly
4 and legally issued United States Patent No. 7,707,505 ("the '505 patent"), entitled "Dynamic
5 Tabs For a Graphical User Interface." A true and correct copy of the '505 patent is attached as
6 Exhibit A. The '505 patent is assigned to IPC. As such, IPC holds all right, title and interest in
7 and to the '505 patent.

8 10. Upon information and belief, The General is a licensed insurance agency that
9 offers auto insurance online from its partners Permanent General Assurance Corporation and
10 Permanent General Assurance Corporation of Ohio. The General offers this insurance to its
11 customers through its website, www.thegeneral.com. Upon information and belief,
12 www.thegeneral.com includes an online insurance quoting application.

13 11. Upon information and belief, Defendants make, have made, use, offer for sale or
14 sell in the State of California, in this judicial district, and elsewhere within the United States,
15 online application technology that infringes the '505 patent.

17 COUNT I

18 THE GENERAL'S INFRINGEMENT OF U.S. PATENT NO. 7,707,505

19 12. IPC incorporates paragraphs 1-11 above as if fully repeated and restated herein.

20 13. Upon information and belief, Defendant The General has been and now is directly
21 infringing (and indirectly infringing by way of inducing infringement and/or contributing to the
22 infringement) the '505 patent in this judicial district, and elsewhere in the United States by,
23 among other things, including as part of its websites, online application technology covered by
24

1 one or more claims of the '505 patent. The General is thus liable for infringement of the
2 '505 patent pursuant to 35 U.S.C. § 271.

3 14. As a result of The General's infringement of the '505 patent, IPC has suffered
4 monetary damages in an amount not yet determined, and will continue to suffer damages in the
5 future unless The General's infringing activities are enjoined by this Court.

6 15. Unless a permanent injunction is issued enjoining The General and its agents,
7 servants, employees, attorneys, representatives, affiliates, and all others acting on their behalf
8 from infringing the '505 patent, IPC will be greatly and irreparably harmed.

9
10 **COUNT II**

11
12 **PERMANENT GENERAL'S INFRINGEMENT OF U.S. PATENT NO. 7,707,505**

13 16. IPC incorporates paragraphs 1-15 above as if fully repeated and restated herein.

14 17. Upon information and belief, Defendant Permanent General has been and now is
15 directly infringing (and indirectly infringing by way of inducing infringement and/or
16 contributing to the infringement) the '505 patent in this judicial district, and elsewhere in the
17 United States by, among other things, including as part of its websites, online application
18 technology covered by one or more claims of the '505 patent.

19 18. As a result of Permanent General's infringement of the '505 patent, IPC has
20 suffered monetary damages in an amount not yet determined, and will continue to suffer
21 damages in the future unless Permanent General's infringing activities are enjoined by this
22 Court.

23 19. Unless a permanent injunction is issued enjoining Permanent General and its
24 agents, servants, employees, attorneys, representatives, affiliates, and all others acting on its
25 behalf from infringing the '505 patent, IPC will be greatly and irreparably harmed.

1
2 **COUNT III**
3

4 **PERMANENT GENERAL OF OHIO'S INFRINGEMENT OF**
5 **U.S. PATENT NO. 7,707,505**

6 20. IPC incorporates paragraphs 1-19 above as if fully repeated and restated herein.

7 21. Upon information and belief, Defendant Permanent General of Ohio has been and
8 now is directly infringing (and indirectly infringing by way of inducing infringement and/or
9 contributing to the infringement) the '505 patent in this judicial district, and elsewhere in the
10 United States by, among other things, including as part of its websites, online application
11 technology covered by one or more claims of the '505 patent.

12 22. As a result of Permanent General of Ohio's infringement of the '505 patent, IPC
13 has suffered monetary damages in an amount not yet determined, and will continue to suffer
14 damages in the future unless Permanent General of Ohio's infringing activities are enjoined by
15 this Court.

16 23. Unless a permanent injunction is issued enjoining Permanent General of Ohio and
17 its agents, servants, employees, attorneys, representatives, affiliates, and all others acting on its
18 behalf from infringing the '505 patent, IPC will be greatly and irreparably harmed.
19

20 **PRAYER FOR RELIEF**

21 WHEREFORE, IPC respectfully requests that this Court enter:

22 1. A judgment in favor of IPC that each of the Defendants has infringed, directly
23 and/or indirectly, by way of inducing and/or contributing to the infringement of the '505 patent,
24 and that such infringement was willful;

1 2. A permanent injunction enjoining Defendants and their officers, directors, agents,
2 servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in
3 concert or privity with any of them from infringing, inducing the infringement of, or contributing
4 to the infringement of the '505 patent;

5 3. A judgment and order requiring Defendants to pay IPC its damages, costs,
6 expenses, and prejudgment and post-judgment interest for Defendants' infringement of the
7 '505 patent as provided under 35 U.S.C. § 284;

8 4. An award to IPC for enhanced damages resulting from the knowing, deliberate,
9 and willful nature of Defendants' prohibited conduct with notice being made at least as early as
10 the date of the filing of this Complaint, as provided under 35 U.S.C. § 284;

11 5. A judgment and order finding that this is an exceptional case within the meaning
12 of 35 U.S.C. § 285 and awarding to IPC its reasonable attorneys' fees; and

13 6. Any and all other relief to which IPC may show itself to be entitled.
14

15 **DEMAND FOR JURY TRIAL**

16 Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of
17 any issues so triable by right.
18

1 Dated: September 27, 2012

2 Respectfully submitted,

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4 By: 

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21
22 **Pro hac vice application forthcoming*

23
24 **ATTORNEYS FOR PLAINTIFF**
25 **INTERNET PATENTS CORPORATION**